

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

CURTIS McDANIEL,

Plaintiff,

-against-

THE PEOPLE OF THE CITY OF NEW  
YORK, *et al.*,

Defendants.

20-CV-0245 (CM)

ORDER DIRECTING PAYMENT OF FEE  
OR IFP APPLICATION AND PRISONER  
AUTHORIZATION

COLLEEN McMAHON, Chief United States District Judge:

By order dated February 3, 2020, the Court directed Plaintiff to show cause why this action should not be dismissed as duplicative of *McDaniel v. People of the State of New York*, ECF 1:19-CV-3526, 1. The Court also directed Plaintiff to submit an application to proceed *in forma pauperis* (IFP) and a prisoner authorization form, should he decide to proceed with this action.

On March 5, 2020, the Court received Plaintiff's letter indicating that this action is not duplicative of the 19-CV-3526 matter. (ECF No. 3.) But Plaintiff did not submit an IFP application and prisoner authorization form. Accordingly, the Court directs Plaintiff, within thirty days of the date of this order, to either pay the \$400.00 in fees or submit the attached IFP application and prisoner authorization form.

The Clerk of Court is directed to mail a copy of this order to Plaintiff and note service on the docket. No summons shall issue at this time. If Plaintiff complies with this order, the case shall be processed in accordance with the procedures of the Clerk's Office. If Plaintiff fails to comply with this order within the time allowed, the action will be dismissed.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore *in forma pauperis* status is denied for the purpose of an appeal. *See Coppedge v. United States*, 369 U.S. 438, 444–45 (1962).

SO ORDERED.

Dated: March 6, 2020  
New York, New York

A handwritten signature in black ink, appearing to read "Colleen McMahon", is written over a horizontal line.

COLLEEN McMAHON  
Chief United States District Judge